

# SUMMARY OF CHANGES

## OVERALL CHANGES

Updated references to FY2011 Master Agreement and FY2011 Certifications and Assurances

### 1. LEGAL

No significant changes

### 2. FINANCIAL

#### Financial Capacity

- Moved discussion of eligible match from operating assistance discussion to local match discussion (question 2)
- Clarified what is eligible for local match, including clarifying that Temporary Assistance for Needy Families funds and other non-DOT Federal funds if authorized by the originating program to be used for transportation can be used as local match for Section 5307
- Added deficiency for ineligible local match
- Added question regarding financial capacity of subrecipients

#### Eligible Expenditures

- Pulled together questions on eligible activities under new section titled "eligible expenditures"
- Moved question from Technical on incidental and ineligible services to this new section

### 3. TECHNICAL

- Incorporated Section 5310 reporting requirements into questions 2 and 4
- Expanded the discussion in question 4 on Federal Financial Reports
- Added question 5 on Section 5310 performance reporting
- Added question 7 regarding reporting of subawards to the Federal Funding Accountability and Transparency Act Subaward Reporting System for grants awarded by FTA after October 1, 2010
- Clarified in question 9 that all costs, not just labor costs, should be included when determining if a project meets the threshold for a force account plan
- Clarified in question 9 that a force account plan is prepared at the project, not grant, level

### 4. SATISFACTORY CONTINUING CONTROL

- Deleted from question 1 classification of use of an intermodal facility by an intercity bus operator

as incidental use, as such use is eligible under USC 5302(a)(1)(G)

- Clarified in question 15 that the spare ratio requirement only applies to urban fixed route service, how the spare ratio is to be calculated, and the information to be submitted with the plan for bringing the spare ratio within the cap

### 5. MAINTENANCE

Clarified reporting requirements for the corrective actions for late preventive maintenance inspections

### 6. PROCUREMENT

- Updated applicability information on procurement of art
- Added compliance section to first page for potential return of funds
- Updated architectural and engineering portion of question 9 with design/build information
- Added information on effect of change orders on thresholds to question 19
- Updated clause chart

### 7. DBE

- Added new deficiency for lack of resources in question 3
- Revised question 5 to conform to 3-year goal setting cycle
- Removed deficiency for goal calculation
- Added new deficiency for incomplete semi-annual reporting in question 6
- Added information to question 7 on DBEs being certified as part of good faith efforts
- Included additional person for receipt of corrective actions resulting from certification questions 12-13

### 8. BUY AMERICA

- Added statement that FTA may decide to not participate in a procurement that does not comply with Buy America
- Clarified in question 1 that Buy America applies to purchases of used items
- Added to question 1 a discussion of the general waiver for final assembly of minivans
- Added to question 2 a discussion of purchases of used revenue rolling stock
- Added to question 2 discussion of waiver for final assembly of minivans

- Combined the oversight questions (formerly questions 2 and 6) into one oversight question (question 5)
- Added additional requirements to corrective actions

## **9. DEBARMENT AND SUSPENSION**

No significant changes

## **10. LOBBYING**

Added a statement that FTA may assess financial penalties for failure to comply with the disclosure provisions

## **11. PLANNING/POP**

No significant changes

## **12. TITLE VI**

- Deleted question on who is responsible for Title VI at the grantee
- Added information on Section 5316 and 5317 to question 2
- Added information in question 4 that process to file complaint should be easily understood and not present obstacles
- Deleted environmental justice question
- Added question 11 on defining major service changes

## **13. PUBLIC COMMENT ON FARE AND SERVICE CHANGES**

- Changed section title to correspond with title used in FTA C 9030.1D
- Expanded question 1 to address procedures for soliciting public comment and considering comments received

## **14. HALF FARE**

- Added a useful web link for Medicare eligibility
- Clarified that half fare does not apply to demand response service, including route deviation service
- Updated explanation of Medicare eligibility to reflect changes to the Medicare eligibility website

## **15. ADA**

- Eliminated the discussion of intercity bus operators from question 6 regarding the use of accessible equipment for contracted service as the requirements of 49 CFR Part 37 Subpart H,

not Subpart D, apply to the private intercity bus industry

- Added a note to question 11 stating that DOT is developing guidance in light of recent amendments to the Department of Justice ADA regulations regarding service animals
- Clarified the definition of “university service” in question 19
- Deleted question regarding ADA complementary paratransit fares for grantees offering free fare zones or shuttles
- Added a discussion to question 30 regarding no-show policies stating that FTA has elected not to intervene in situations where transit operators and riders facing suspension have mutually agreed to accept payment for the missed trips in lieu of suspension
- Added question 31.e regarding operating policies regarding single point accessible boarding at rail stations
- Added question 31.f regarding adequate dwell times for boarding and disembarking rail vehicles for persons with disabilities

## **16. CHARTER BUS**

No significant changes

## **17. SCHOOL BUS**

No significant changes

## **18. NATIONAL TRANSIT DATABASE**

- Added question 3 regarding reporting of total ADA complementary paratransit operating expenses as part of the reporting of operating expenses for demand response service
- Expanded definition of subrecipients in question 4 to include contractors and lessees who are not reimbursed for the full cost of the service by the grantee
- Moved NTD reporting questions regarding safety and security incidents from Safety and Security area to new, updated question 6

## **19. SAFETY AND SECURITY**

- Added safety questions 7, 10, and 11 based on most recent Dear Colleague letters regarding use of cell phones, audio frequency track circuits, and train control systems
- Added security question on TSA BASE assessments and reformatted remainder of security section to reduce questions for those that had successfully completed a BASE review and for <200,000 grantees
- Moved NTD reporting questions from Safety and Security area to NTD area

## **20. DRUG FREE WORKPLACE**

No substantive changes

## **21. DRUG AND ALCOHOL PROGRAM**

- Added to question 2 discussion of security personnel for commuter rail operators
- Clarified requirements for ferry operators regarding drug and alcohol testing policies (question 3) and MIS reporting (question 10)
- Added discussion of testing for ecstasy (MDMA) to question 5

## **22. EQUAL EMPLOYMENT OPPORTUNITY**

- Added clarifying information for EEO officer in question 3

## **23. ITS ARCHITECTURE**

No significant changes

## **24. ARRA**

- Added question 14 regarding spare ratio
- Eliminated Title VI environmental justice question
- Added question 20 regarding ARRA-specific DBE quarterly reporting
- Eliminated drug and alcohol testing question